



02/9/05 DT02 Rec'd PCT/PTO 0 7 FEB 2005

Attorney Docket No.: 28069-603 NATL *Pct*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS	:	Conte and Maggi	CONFIRMATION NO.:	Not Yet Assigned
U.S. SERIAL NO.	:	10/507,345	CUSTOMER NO.:	35437
FILED	:	September 10, 2004	INTL. APPL. NO.:	PCT/EP03/02537
TC/A.U.	:	Not Yet Assigned	INTL. FILING DATE:	March 12, 2003
EXAMINER	:	Not Yet Assigned		
FOR	:	A System for the Controlled Release of Active Ingredients		

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL TRANSMITTAL**

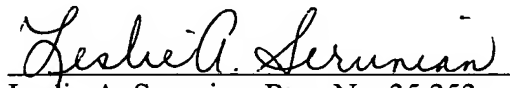
Date of Deposit: **February 7, 2005**

I hereby certify that the document(s) and/or fee(s) listed below are being deposited with the United States Patent and Trademark Office as Express Mail bearing Express Mail Label No. **EV 399524551 US** under 37 C.F.R. §1.10 in an envelope with prepaid postage on the date indicated above and addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Express Mail Transmittal (1 page), in duplicate
2. Information Disclosure Statement (2 pages), in duplicate;
3. Modified Form 1449/PTO (1 page), in duplicate;
4. Cited References A1-A2 and B1-B7; and
5. Return Receipt Postcard

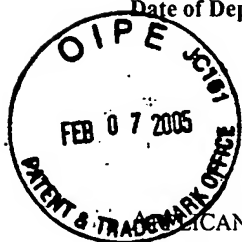
If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York. The Director is authorized to charge any deficiencies to Deposit Account No. **50-0311**, Reference No. **28069-603 NATL**, Customer No. **35437**.

Dated: February 7, 2005

  
Leslie A. Serunian, Reg. No. 35,353  
MINTZ LEVIN COHEN FERRIS  
GLOVSKY and POPEO, P.C.  
Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, NY 10017  
Telephone: (212) 935-3000  
Facsimile: (212) 983-3115

Express Mail Label No.: EV399524551US  
Date of Deposit: February 7, 2005

Attorney Docket No.: 28069-603 NATL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

APPLICANTS	:	Conte and Maggi	CONFIRMATION NO.:	Not Yet Assigned
U.S. SERIAL NO.	:	10/507,345	CUSTOMER NO.:	35437
FILED	:	September 10, 2004	INTL. APPL. NO.:	PCT/EP03/02537
TC/A.U.	:	Not Yet Assigned	INTL. FILING DATE:	March 12, 2003
EXAMINER	:	Not Yet Assigned		
FOR	:	<b>A System for the Controlled Release of Active Ingredients</b>		

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, in the above-identified application, copies of which are submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 28069-603 NATL.

Respectfully submitted,



Leslie A. Serunian, Reg. No. 35,353  
c/o MINTZ, LEVIN, COHN, FERRIS  
GLOVSKY & POPEO P.C.  
Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Tel: (212) 935-3000  
Fax: (212) 983-3115

Dated: February 7, 2005

NYC 312795v1

Express Mail Label No.: EV399524551US  
Date of Deposit: February 7, 2005

1 of 1

Please type a plus sign (+) in this box



PTO/SB (12-97)  
OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Unified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/507,345
	Filing Date	09/10/04
	First Named Inventor	Conte
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	28069-603 NATL

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	4,160,020	07/03/79	Ayer et al.			12/27/77
	A2	5,256,440	10/26/93	Appel et al.			06/22/92

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	EP	0 230 654	Sumitomo Pharmaceuticals Co, LTD	12/23/86		
	B2	EP	0 274 734	Pharmaidea	12/23/87		
	B3	EP	0 294 993	Pfizer, Inc.	06/01/88		
	B4	EP	0 631 775	Ekita Investments N.V.	05/20/94		
	B5	FR	2 100 858	Daiichi Seiyaku Co., LTD	06/30/71		
	B6	WO	94/01239	Merck & Co., Inc.	01/20/94		
	B7	WO	96/18478	Alza Corporation	06/20/96		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYC 312793v1